



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/091,303	03/06/2002	Naoya Yasuda	50083-217	8165

7590

01/28/2003

McDERMOTT, WILL & EMERY
600 13th Street, N.W.
Washington, DC 20005-3096

EXAMINER

THAI, LUAN C

ART UNIT

PAPER NUMBER

2827

DATE MAILED: 01/28/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/091,303	Applicant(s) YASUDA, NAOYA	
	Examiner Luan Thai	Art Unit 2827	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 1 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☐ Claim(s) ____ is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☒ Claim(s) 1-14 are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
 If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
 a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) ____. | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Election/Restrictions

1. This application contains claims directed to the following patentably distinct species of the claimed invention:

Embodiment 1 of Figures 1A-1B discloses a mold for forming a package having a large thickness of the sealed resin 15.

Embodiment 2 of Figures 1C-1D discloses a mold for forming a package having a smaller thickness of the sealed resin 15' because of an external-shape regulating member 30 that faces the peripheral inner-wall surface 22aA of the cavity structure section 22a of the mold 20.

Embodiment 3 of Figure 2 discloses a mold for forming a package, wherein an external-shape regulating member 30 constitutes a part of the new cavity 23' and a sealing member 24 is disposed between the main cavity 23' and the peripheral end surfaces 31 of the external-shape regulating member 30.

Embodiment 4 of Figure 3 discloses a mold for forming a package, wherein the mold has a stage 25 disposed on the inner-wall surface 22aA of the main cavity 23, and edges of an external-shape regulating member 30' is installed on the stage 25.

Embodiment 5 of Figures 4A-4B discloses a mold for forming a package, wherein the mold has an external-shape regulating member 130A/130B held on the bottom of the cavity 123A'/123B' by being closely contacted thereto via the vacuum path 122b in the cavity structuring section 122a of the lower mold 122.

Embodiment 6 of Figures 5A-5C discloses a mold for forming a package, wherein the mold has spacer member 40A/40B detachably fixed on the upper surface of the lower mold 22.

Embodiment 7 of Figures 6A-6B and 7 discloses a mold for forming a package, wherein the mold has an external-shape regulating member 230 that can proceed to and recede from the cavity structuring section 222a of the lower mold 222 along a bottom inner-wall surface 222aB.

Embodiment 8 of Figure 8 discloses a mold for forming a package, wherein the mold has an external-shape regulating member 230 and a valve unit 226 which closes a fluid supply path 225 when the external-shape regulating member 230 is receded.

Embodiment 9 of Figure 9 discloses a mold for forming a package, wherein the lower mold has a plurality of external-shape regulating members 230A-230B-230C in parallel with each other on the mold 220.

Embodiment 10 of Figures 10A-10B discloses a mold for forming a package, wherein a portion of the lower mold 322 that becomes the peripheral wall of the cavity structuring section 322a can be expanded or contracted along a height direction by using a bellows-type peripheral mold section 3222.

Embodiment 11 of Figures 11A-11B discloses a mold for forming a package, wherein a portion 4222 of the mold 420 that becomes the peripheral wall of the cavity structuring section 422a can proceed or recede along a height direction through the groove 4221a formed on the upper surface of a reference mold section 4221.

Embodiment 12 of Figures 12A-12B discloses a mold for forming a package, wherein the mold has a lifting member 5222 that can proceed to or recede from the mold section 5221 in a height direction, and a resin film 5223 disposed on the mold section 5221 and inside the lifting member 5222.

Applicant is required under 35 U.S.C. 121 to elect a single disclosed species for prosecution on the merits to which the claims shall be restricted if no generic claim is finally held to be allowable. Currently, no claim is generic.

Applicant is advised that a reply to this requirement must include an identification of the species that is elected consonant with this requirement, and a listing of all claims readable thereon, including any claims subsequently added. An argument that a claim is allowable or that all claims are generic is considered nonresponsive unless accompanied by an election.

Upon the allowance of a generic claim, applicant will be entitled to consideration of claims to additional species which are written in dependent form or otherwise include all the limitations of an allowed generic claim as provided by 37 CFR 1.141. If claims are added after the election, applicant must indicate which are readable upon the elected species. MPEP § 809.02(a).

Should applicant traverse on the ground that the species are not patentably distinct, applicant should submit evidence or identify such evidence now of record showing the species to be obvious variants or clearly admit on the record that this is the case. In either instance, if the examiner finds one of the inventions unpatentable over

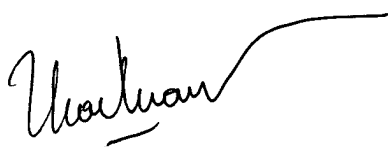
Art Unit: 2827

the prior art, the evidence or admission may be used in a rejection under 35 U.S.C. 103(a) of the other invention.


2. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Luan Thai whose telephone number is (703) 308-1211. The examiner can normally be reached on 7:00 AM - 4:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David L. Talbott can be reached on (703) 305-9883. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 308-7722 for regular communications and (703) 308-7724 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0956.



Luan Thai
January 17, 2003



KAMAND CUNEO
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2800